

**USDC SDNY
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JENNY WHEELER
AND SHAWN WHEELER,

Plaintiff,

v.

33rd PRECINCT, et al.,

Defendants.

ORDER

08 Civ 469 (LBS)

SAND, J.

The docket sheet in this action indicates that an amended complaint was filed on January 18, 2008 and that no proof of service of summons and complaint has been filed.

Rule 4(m) of the Federal Rules of Civil Procedure provides:

If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion, or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period.

In accordance with this rule, plaintiff is directed to arrange for prompt service of the summons and complaint on the defendant(s). If service is not made by June 1, 2008, or if no application is made in writing by such date to extend the time for service showing good cause for the failure to serve, this action may be dismissed.

Please be aware that the Pro Se Office at the United States Courthouse, 500 Pearl Street, Room 230, New York, New York, 10007 (Telephone: (212) 805-0175) may be of

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assistance in connection with court procedures.

SO ORDERED.

Dated: New York, NY
April ~~25~~, 2008
28,

A handwritten signature in black ink, appearing to read "James B. Saxe", written over a horizontal line.

U.S.D.J.

Copy to:

Jenny Wheeler and Shawn Wheeler
592 West 178th Street
New York, NY 10033